IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

THURSDAY, THE 4TH JANUARY 2007 / 14POUSHA 1928

Tr.P(C).No. 286 of 2006()

OS.611/2003 of MUNSIFF COURT,KAYAMKULAM

.....

: PETITIONER/2ND DEFENDANT;

SANTHOSH VIJAYARAGHAVAN,
S/O.K.VIJAYARAGHAVAN, KRISHNAVILASOM, ASRAMOM,
KOLLAM.

BY ADV. SRI.S.SANTHOSH KUMAR

RESPONDENTS: PLAINTIFF & 1ST DEFENDANT:

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1. LAILA RANI VIJAYARAGHAVAN,
A1 QUARTERS, THIRUVANANTHAPURAM MEDICAL COLLEGE CAMPUS, THIRUVANANTHAPURAM (FROM VARANAPPALLIL VEEDU, PUTHUPPALLY VILLAGE, KAYAMKULAM).

2. VINOD VIJAYARAGHAVAN,
S/O. K.VIJAYARAGHAVAN, GANGOTHRI VEEDU,
ADITHYA NAGAR, VADAKKEVILA, KOLLAM.

BY ADV. SRI.S.M.PREM FOR R1
SMT.K.P.SANTHI
SMT.ANALAKHUSI BHASKAR

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Order on I.A.3311/06 in Tr.P(C) 286/06

4.1.07 Dismissed Sd/- M.Sasidharan Nambiar
Judge

/true copy/

P.S. To Judge

M.Sasidharan Nambiar,J.

Tr.P.(C) No.286 of 2006

Dated this the 4th day of January,2007

O.R.D.E.R

Petitioner is the plaintiff in O.S.840/01 on the file of Munsiff Court, Kollam. Respondents are the defendants therein. First respondent is the plaintiff in O.S.611/03 on the file of Munsiff Court, Kayamkulam. Second respondent is the first defendant and petitioner the second defendant in that suit. That suit is one for partition. O.S.840/01 is a suit for injunction. The case of the petitioner is that as the Will executed by the mother is the dispute to be settled in both the suits, it is necessary to try both the suits by the same court and therefore this petition is filed to transfer one of the suits to the other court. Learned counsel appearing for the first respondent objected to the transfer. Learned counsel appearing for petitioner submits that petitioner has no objection for transferring O.S.840/01 to

Munsiff Court, Kayamkulam.

In such circumstances, petition is allowed. O.S.840/01 pending before the Munsiff Court, Kollam is transferred to Munsiff Court, Kayamkulam. Learned Munsiff may decide whether the suits are to be tried jointly or not.

M.Sasidharan Nambiar
Judge

tpl/-

M.SASIDHARAN NAMBIAR, J.

CRL.R.P.NO. /97

ORDER

MARCH,2006